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THE MONROE DOCTRINE AT THE FOURTH PAN-AMERICAN CONFERENCE.¹

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So much has been written and said, especially of late, upon the subject of the Monroe Doctrine, that even among people of enlightenment, a real confusion of ideas has arisen. Even works upon International Law have not been exempt from lapses and inexactitudes in this regard. This confusion is due to the fact that no distinction is ordinarily made in what has come to be known as the "Monroe Doctrine" between the principles which properly belong to it and certain trends of policy which are foreign to it.² Distinctions should be made between (1) the Monroe Doctrine in its primitive form; (2) the hegemony of the United States on the American Continent; and (3) the imperialistic policy of that nation. The Monroe Doctrine, properly speaking, was simply the result of the necessity felt by all of the states of the New World of making their independence secure against the ambitions of Europe, a necessity resulting from the triumphs of their independence. The statesmen of the new nations realized then that their people must unite for such a purpose. These aims, which had not yet been definitely formulated, were crystallized in 1823, by the famous message of President Monroe. The declarations of an international character contained in this document may be reduced to three:

1. No European country may gainsay the right gained by the nations of the New World to their independence and sovereignty.
2. The right is recognized of these same American nations to organize such forms of government as best suit their interests without the intervention by any European country in the affairs relating to internal regulation, and

¹The Academy desires to express its appreciation to Layton D. Register, Esq., of the Law Department of the University of Pennsylvania, for the translation of this article.

²I have devoted to just this subject a great part of my book published a short time ago in Paris: "Le Droit International Américain."

3. European nations are prohibited from acquiring by occupation any part of the American Continent.

These declarations, by their preciseness and definiteness, became henceforth the political creed of all the nations of the New World. They made clear, likewise, the bond of union which then existed not only among the Latin Republics of the continent but also between them and the United States. And this is so true that all those nations strove for the solemn proclamation of the Monroe Doctrine at the American International Congress which met at Panama in 1826. Shortly after its formulation by President Monroe, the United States, as the strongest and most influential nation, became the champion of this doctrine, and its acceptance by the other American republics was later confirmed by numerous declarations of the state departments, and by different cases of practical application in which the chief moving spirit was that same Republic of the North. From this has arisen the mistaken belief that the Monroe Doctrine is merely a rule of policy adopted by the United States and exercised for its sole and exclusive benefit, whereas in reality it is a union of declarations which, by reflecting faithfully the aims of a whole continent, and by the constant application it has received, possesses all the characteristics of an American principle of international law.

New needs arising out of the foreign policy of these countries have caused several amplifications of this doctrine, and they too have been accepted by all the nations of the continent. These amplifications establish that no European country may acquire, no matter what the motive, any portion of the New World, nor temporarily occupy all or part of a country even upon the pretext of civil or foreign war. The pretension has also been made that those amplifications of the doctrine apply not only as against European States, but even among the American nations themselves. But this pretension has not passed beyond the stage of a mere Utopia, since it has not been formally adopted with that unanimity which exists in the case of its application to European powers. Moreover it has always been violated in practice.

If the Monroe Doctrine and its more transcendental amplifications have been confirmed by express declarations from all the state departments of the American continent, the same cannot be said to have happened in the case of the other two elements which are generally conferred with it, i. e., hegemony and imperialism. This

doctrine of hegemony or leadership is simply a rule of policy of the United States which consists of imposing the opinions of her State Department upon America at large, whenever the former's interests are concerned, and of intervening in the internal and external affairs of any country of Latin-America in order to protect the interests of the United States and ostensibly to watch over the prestige of the Latin-American republics. This policy affects almost exclusively the countries bordering upon the Caribbean Sea. It is obvious that this attitude of the United States does not always coincide with the wishes of the South American continent; that, on the contrary, it is considered, upon occasions, to be a menace to the integrity and sovereignty of certain republics of this hemisphere. The imperialism of the United States is another rule of political action which also fails to find an echo in the opinion of South America. This policy is exercised within a broader sphere than that of hegemony. As in the case of the imperialism of the great European powers, one principal object of the United States is the development and expansion of her commerce and the opening of new markets in different continents until there shall be established a political and economic supremacy throughout the civilized world.

Thus we see that the policies of hegemony and imperialism of the United States, which are currently confused with the Monroe Doctrine, especially in Europe, are not principles of American international law, since they do not receive the adhesion of both the Americas. Only when stripped of these two elements does the Monroe Doctrine appear in its true light, the doctrine of a continent.

Having made these preliminary explanations, which are necessary for a perfect comprehension of what occurred at Buenos Aires to the Brazilian resolution, concerning the Monroe Doctrine, I will now enter upon the examination of the events to which this project gave rise and of the attitude which our delegation assumed on that occasion. In the middle of last July, the Brazilian Minister at Buenos Aires, his Excellency Señor Da Gama, explained to several members of the Chilean delegation that the late Ambassador of his country to the United States, his Excellency Señor Nabuco, had cherished the idea of presenting to the Conference at Buenos Aires a motion which would evidence the recognition by all the countries of America of the fact that the Monroe Doctrine had been beneficial to them. Nabuco had left in writing a formal declara-

tion, which the Government of Brazil, out of respect to the memory of the great statesman, desired to present to the Conference without any change. His Excellency Señor Da Gama added that his government was desirous of counting in this move upon the co-operation of Argentine and Chile. The proposition, furthermore, was to be presented only in case the acquiescence of all the other delegations could be counted on beforehand, so that it would be approved without criticism. In order not to go outside of the program of the Conference, the motion was to be proposed, not as a declaration of principles, but as a testimonial of appreciation presented by Latin-America to the United States upon the occasion of the first centennial of its independence. The resolution of Nabuco, endorsed by the Brazilian delegation, was in these words: "The long period which has transpired since the declaration of the Monroe Doctrine, permits us to recognize in it a permanent factor making for international peace upon the American Continent. For this reason, while celebrating her first efforts towards independence, Latin-America sends to her Great Sister Nation of the North, an expression of her thanks for that noble and unselfish action which has been of such great benefit to the entire New World." Without any formal and concrete proposition having yet been placed by the Brazilian delegation before the Chilean delegation upon the question of the presentation in common of this project to the assembly, we members of the latter were in accord in considering the resolution, as framed, very categorical in its terms, especially in view of the confusion which I have shown to exist regarding what should in reality be understood by the Monroe Doctrine.

For my part, I presented to Señor Da Gama, simply as grounds for consideration, and not as the opinion of the Chilean delegation, another form of resolution, which in my judgment, obviated those objections, and which contained, along with a statement of the principles of the doctrine, a declaration of the fact that these principles had the support of the entire American Continent. My proposed resolution was couched in the following terms: "Since their independence, the nations of America have proclaimed the right thereby acquired of excluding European intervention in their internal affairs, and, also, the principle that the territory of the New World cannot be made the object of future colonization. These principles clearly formulated and solemnly expressed by President

Monroe in 1823 constitute a factor which has contributed towards guaranteeing the sovereignty of the nations of this continent. Wherefore, Latin-America, celebrating the one hundredth anniversary of her independence, sends now to her Great Sister Nation of the North, the expression of her adhesion to that idea of solidarity, as in the past she joined her in proclaiming those principles and upholding them for the benefit of the entire New World."

Señor Da Gama found in this resolution a departure from that of Nabuco, which his government was desirous at all costs to preserve. Shortly afterwards, we personally agreed upon a new formula, which he was to submit to his government and which, when approved by it, was to be placed before the delegations of Chile and Argentine. This formula was as follows: "The long period which has transpired since the declaration of the Monroe Doctrine permits us to recognize in it a permanent factor making for external peace upon the American continent. It gave concrete and solemn expression to the aims of Latin-America from the commencement of her political independence. For this reason, while celebrating the centennial of her first efforts towards independence, the nations represented in the Fourth Pan-American Conference send to their Great Sister Nation of the North, the expression of their adhesion to that noble and unselfish action, of such beneficial consequence for the New World."

Having consulted the Brazilian Government, his Excellency Señor Da Gama believed the time ripe to ask for the approval of this resolution by the delegations of Argentine and Chile. The members of the former, with two exceptions, expressed themselves in favor of it as drawn up. The Chilean delegation, for its part, attentively studied the proposed resolutions, and while entirely agreeing with the propositions of the Brazilian delegates, they yet believed that another formula must be sought which, while it brought the proposition within the program of the conference, did not lend itself to false interpretations by Europe, the United States, and the rest of America.

The proposition formulated by the Chilean delegation was the following: "Upon celebrating the centennial of their first efforts towards political independence, the nations represented in the Fourth Pan-American Conference send to their Great Sister Nation of

the North the expression of their thanks and record their conviction that the declarations contained in the message of President Monroe met the aims of all America and contributed effectively to guarantee its independence."

The members of other delegations, in their turn, learned confidentially of the proposition which the Brazilian delegation were supporting and though in favor of the idea and motive which were guiding the Brazilian Government, they believed that it was necessary to make some additions in which it would be made clear that the Monroe Doctrine must not be understood as an impairment of the sovereignty of the Latin-American States. The point had been reached of formulating the additions which were to be made to the proposed resolution, inspired by a speech made by the Secretary of State, Mr. Root, at the third convention. And there were not wanting those who, in spite of these additions, thought that the motion was outside the program of the Conference, and that, while approving it, they might sanction along with it many acts of hegemony committed by the United States by which more than one country had felt its sovereign dignity to have been wounded.

This now considerably complicated the situation. The delegation of the United States, consulted in regard to it, made it clear that it would be very acceptable for Latin-America to make the Monroe Doctrine hers; but that if in doing this she was going to create dissensions in the midst of the assembly, it was preferable to make no presentation at all. The Brazilian delegation thus realized that an unanimous assent to its views was not easy to obtain; for though every one agreed as to the basic reasons of the resolution, it was very difficult to reduce it to a brief form, and satisfactory to everybody. In view of this, the delegation did not insist upon pushing its project.

Therefore, in regard to the Monroe Doctrine at the Pan-American Conference of Buenos Aires, it may be said to have been clearly established:

1. That all the countries of America there represented were agreed that the Monroe Doctrine, as it was formulated in 1823, is in accord with the aims of the New World and forms a part of its public law;

2. That the delegation from Chile at all times manifested the greatest willingness to propose to the conference a resolution, con-

cise and satisfactory, yet in conformity with the program of the conference.

3. That it was very difficult, nevertheless, to find a wording, which without exciting the susceptibility of Europe, would be satisfactory to all the countries of America, because there were various states which desired to see incorporated with the principles of that doctrine, other principles which might have reference to the policy of hegemony of the United States.

4. That the fact that this formula was not hit upon in no way signified that Brazil had received a diplomatic rebuff; and

5. That the Monroe Doctrine in its primitive form, was not disavowed in the Fourth American International Conference. It was not there a question of proclaiming the Monroe Doctrine, but only of recognizing a historical fact which during the past century has dominated the political life of the nations of the New World, and is to-day the basis of what may be termed American International Law.